

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office OCT 11 1977

Returned to applicant for correction

Corrected application filed

Map filed OCT 19 1977

The applicant James M. and Edward H. Smiley c/o Boyack Surveying, Inc.
582½ West Cedar Street, of Elko,
Street and No. or P.O. Box No. City or Town
Nevada 89801, hereby make application for permission to appropriate the public
State and Zip Code No.
waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation; if a copartnership or association, give names of members.)

1. The source of the proposed appropriation is Underground Well
Name of stream, lake or other source.

2. The amount of water applied for is 0.05 second-feet
One second-foot equals 448.83 gals. per min.

(a) If stored in reservoir give number of acre-feet acre-feet

3. The water to be used for Stockwater and Domestic
Irrigation, power, mining, manufacturing, domestic, or other use.

4. If use is for:

(a) Irrigation (state number of acres to be irrigated)

(b) Stockwater (state number and kinds of animals to be watered) 300 cattle

(c) Other use (describe fully under "No. 12. Remarks")

(d) Power:

(1) Horsepower developed

(2) Point of return of water to stream

5. The water is to be diverted from its source at the following point: NW¼NE¼ Section 7, T.37N.,
R.62E., MDB&M, at a point from which the NE corner of said section 7
Describe as being within a 40-acre subdivision of public survey, and by course and distance to a section corner. If on unsurveyed land,
bears N 72° 34' 48" E 2132.93 feet
it should be stated.

6. Place of use portion of S½ section 5; all of section 7, T.37N., R.62E.,
Describe by legal subdivision, if on unsurveyed land it should be so stated.
MDB&M.

7. Use will begin about January 1 and end about December 31, of each year.
Day and Month Day and Month

8. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) well pipeline to troughs

State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits.

9. Estimated cost of works.....\$5000.....
10. Estimated time required to construct works.....1 year.....
11. Estimated time required to complete the application to beneficial use.....3 years.....
12. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

Applicant James M. and Edward H. Smiley

By s/ Alan S. Boyack

Compared lp/ga br/bl Alan S. Boyack
582½ West Cedar Street
Elko, Nevada 89801

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This Permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal, and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed.....0.0094.....cubic feet per second, or sufficient water to water 300 head of cattle.....

Actual construction work shall begin on or before.....N/A.....

Proof of commencement of work shall be filed before.....N/A.....

Work must be prosecuted with reasonable diligence and be completed on or before.....January 20, 1984.....

Proof of completion of work shall be filed before.....February 20, 1984.....

Application of water to beneficial use shall be made on or before.....January 20, 1986.....

Proof of the application of water to beneficial use shall be filed on or before.....February 20, 1986.....

Map in support of proof of beneficial use shall be filed on or before.....

Commencement of work filed.....FEB 28 1984.....
 Completion of work filed.....NOV 14 1986.....
 Proof of beneficial use filed.....FEB 17 1987.....
 Cultural map filed.....
 Certificate No. 11746 Issued.....
 Recorded.....Bk. 40 Page.....
 County Recorder

IN TESTIMONY WHEREOF, I, PETER G. MORROS
 State Engineer of Nevada, have hereunto set my hand and the seal of
 my office, this 20th day of JANUARY.....

AD-19-83

Peter G. Morros
 State Engineer